

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hondmann et al.
Application Number: 10/539,702
Filing Date: August 14, 2006
Group Art Unit: 3746
Examiner: Lettman, Bryan Matthew
Title: Ventilator Housing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

I. This Information Disclosure Statement is submitted:
(check at least one box A, B, or C)

A. ☒ (1) Within three months of the filing date of a national application (other than a continued prosecution application);
(2) Within three months of the date of entry of the national stage in an international application;
(3) Before the mailing of a first Office Action on the merits; or
(4) Before the mailing of a first Office Action after the filing of a request for continued examination.

B. ☐ after the period specified in (A), provided that the information disclosure statement is filed before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

(1) ☐ A statement that:

(a) ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

- (b) ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

- (2) ☐ a \$180.00 IDS fee.

- C. ☐ after the period specified in (B) provided that the information disclosure statement is filed on or before payment of the issue fee and is accompanied by:

- (1) ☐ A statement that:

- (a) ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (b) ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

- (2) ☐ a \$180.00 IDS fee.

II. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION:

The U.S. patent or publication documents, foreign patent or publication documents, and/or non-patent literature submitted for consideration by the Office are listed on the attached PTO/SB/08a or PTO -1449.

III. LEGIBLE COPIES OF DOCUMENTS:

(check all that apply)

- A. ☐ U.S. PATENTS OR PUBLISHED APPLICATIONS
Copies of U.S. Patents or Published Applications are not enclosed. If copies are needed, please contact the undersigned.
- B. ☐ DOCUMENTS IN AN INTERNATIONAL SEARCH REPORT
Copies of documents in the International Search Report should already be in the PTO file and are not enclosed. If copies are needed, please contact the undersigned.
- C. ☐ DOCUMENTS IN THE ENGLISH LANGUAGE
A legible copy of (i) each foreign patent; (ii) each publication; and (iii) all other information in the English language is enclosed.
- The attached patents, publications, or other information in the English language do not require a statement of relevancy.
- D. ☒ DOCUMENTS NOT IN THE ENGLISH LANGUAGE
A legible copy of (i) each foreign patent; (ii) each publication; and (iii) all other information NOT in the English language is enclosed.

CONCISE EXPLANATION OF RELEVANCE

A concise explanation of the relevance of all patents, publications, or other information listed that is NOT in the English language is as follows: (check all that apply)

- (1) ☐ Complete English Translation.
- (2) ☐ English Language Equivalent Publication or Patent that is a Complete Translation.

(List any known English language documents corresponding or related to a non-English language document as a separate reference on the attached PTO/SB/08a or PTO-1449.)

- (3) ☐ Communication from a foreign office in a counterpart foreign application that indicates the degree of relevance found by the foreign office and that is in the English Language.
- (4) ☐ Communication from a foreign office in a counterpart foreign application that indicates the degree of relevance found by the foreign office and that is NOT in the English Language: (check all that apply)
- (a) ☐ Complete English Language Translation of the communication.

- (b) ☐ English Language Translation of Relevant Portion(s) of the communication.
- (c) ☐ Foreign search report with an "X", "Y", or "A" indication only.
- (5) ☒ English Language Abstract, relevant claim, or other relevant section.
- (6) ☐ Concise Statement of Relevance, as it is presently understood by an individual most knowledgeable about the content of the information listed that is not in the English language.

IV. It is requested that the information disclosed herein be considered by the Examiner and formally made of record in this application. This citation does not constitute an admission that the reference is relevant or material to the claims. It is only cited as constituting related art of which the applicants are aware.

V. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 502786 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: December 11, 2009

/E. Eric Mills/

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